

CITY OF ANGELS CITY COUNCIL MINUTES

Tuesday, October 6, 2009

Council Members Present: Jack Lynch (Mayor), Jack Boeding, (Vice Mayor), Elaine Morris and Craig Turco

Staff Present: Richard Matranga, Gary Ghio, Dale Mendenhall, Melisa Ralston, David Hanham and Mary Kelly

5:00 PM CALL TO ORDER

ADJOURN TO CLOSED SESSION

CLOSED SESSION: CONFERENCE WITH LEGAL COUNCIL

Existing litigation – Jones vs. City of Angels Camp, Case #CV35497

CLOSED SESSION: CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: Scott Kenley and Richard Matranga

Employee Organization: Peace Officers Association

RECONVENE

6:00p.m. REGULAR MEETING

ACTION TAKEN IN CLOSED SESSION

CONFERENCE WITH LEGAL COUNCIL

Existing litigation – Jones vs. City of Angels Camp, Case #CV35497

Council Action: No action to report

CONFERENCE WITH LABOR NEGOTIATORS. Agency designated representatives: Scott Kenley and Richard Matranga. Employee Organization: Peace Officers Association

Council Action: Met and conferred with labor negotiators. There was no resolution of matter discussed.

APPROVAL OF AGENDA

Agenda item #6 “PRESENTATION/UPDATE ON CONSTRUCTION OF KITCHEN AT UTICA PARK” continued to the October 20th Council meeting.

STAFF UPDATES

Dave Hanham – Planning Director

- Highlighted report included in packet.

Dale Mendenhall – Police Chief

- Reviewed report included in packet

Melisa Ralston – Finance Officer

- Mike Kristoff, general manager for GHC delivered Title 22 payment.

Gary Ghio – City Engineer

- SR2S construction ongoing
- City received interest rate of 1% on stimulus funds

COUNCIL UPDATES

Councilmember Boeding

- Attended LLD, LAFCO and Personnel Finance

Councilmember Turco

- Attended Personnel/Finance where cost measures in teleconferencing and staffing were looked at. Also discussed how to proceed with U-haul issues.
- Will be attending CCOG on 10/7

Councilmember Morris

- Will be attending CCOG, Traffic Circulation and Infrastructure/Facilities meetings

Mayor Lynch

- Attended several meeting at UPUD and UPA re: water rights

PUBLIC COMMENT

Bob Menary – ACBA

Informed Council of ACBA upcoming events, including: Taste of Calaveras on October 11th, Candidates night at Camps on October 12th, sidewalk sale on October 17th

George Fry – 1304 Oak Place

Items working on: alternative conference, mobile home park fence issue. Agreed that the U-hauls are unsightly.

Bob Middleton – 557 Live Oak

Asked about signage put up by the BLT indicating historic district – no signage pointing to the North side of town. Asked if he can put signs up at the entrance to town. Planning Director said this can be done if proper sign process is followed.

CONSENT AGENDA

MOTION by Council Member Turco, seconded by Council Member Boeding and carried 4-0 to adopt the consent agenda:

- a. Minutes of Regular meeting – September 15, 2009
- b. **MOTION** to pay bills

REGULAR MEETING

Item #5 was presented at this time

1. **CONSIDERATION OF ASSUMING FINANCIAL RESPONSIBILITY AND/OR CONTRIBUTION TO THE COST OF MAINTENANCE OF THE ROADWAYS IN THE GREENHORN CREEK DEVELOPMENT (continued from the 9/15 Council meeting)** – Richard Matranga – City Attorney
The City Attorney reviewed the opinion he provided in the packet regarding maintenance of the streets in the GHC development.

Steve Difu – 576 Sasa

Stated he was pleased with the findings of the City Attorney. His intent was not to dissolve the current assessment. The Chair of the LLD will be meeting with the LLD engineer on the 13th to assess the roads in GHC.

Bob Middleton – 557 Live Oak

Asked if the streets in GHC need to be brought up to spec. It was explained they do not.

Gladys Dillashaw – 714 Purdy

Voiced concerns over other developments who may want the City to take over maintenance of their roads.

Wes Kulm – 592 Spring House Road

Said this is not a debate on how to resolve problems with the City, but rather a matter of what is equitable.

George Fry – 1304 Oak Place

Agreed that what is equitable is important.

The City Attorney stated that all assessments shall be supported by a detailed engineer's report prepared by a registered professional engineer certified by the State of California.

MOTION by Councilmember Turco that the CITY OF ANGELS ACCEPT THE FINANCIAL RESPONSIBILITY OF MAINTAINING THE ROADS & STREETS IN THE LLD DISTRICT.

Motion died for lack of second.

MOTION by Councilmember Boeding, seconded by Councilmember Morris and carried 4-0 DIRECTING THE LLD ENGINEER TO COMPLETE AN ANALYSIS AND REPORT THAT APPORTIONS THE GENERAL BENEFITS AND SPECIAL BENEFITS OF THE STREETS IN QUESTION AND TO DETERMINE WITH INPUT FROM THE FINANCE OFFICER WHICH CITY FUNDS CAN BE UTILIZED TO PAY FOR THE AMOUNT WHICH IS DETERMINED TO BE OF GENERAL BENEFIT.

Roll Call: Morris {Yes}, Boeding {Yes}, Turco {Yes} and Lynch {Yes}

2. **SEI CONTRACT AMENDMENT** – Suzanne Kuehl, SEI/Waste Connections

MOTION by Councilmember Turco, seconded by Council Member Boeding and carried 3-1 WITH COUNCILMEMBER LYNCH VOTING {NO} APPROVING THE AMENDED CONTRACT BETWEEN SEI/WASTE CONNECTIONS AND THE CITY OF ANGELS

3. **DESIGNATION OF A 15-MINUTE PARKING SPACE IN FRONT OF 1267 S. MAIN STREET, WORLD MERCANTILE (continued from the 9/15 Council meeting)** – Dave Hanham, Planning Director

The Planning Director reviewed the Planning Commission's recommendation for a six-month trial for a 15-minute loading zone in front of the World Mercantile.

Gladys Dillashaw – 714 Purdy

Stated other merchants might want the same as the Mercantile. Will the Police Dept. enforce?

Michelle Lee – Angels Camp resident

Spoke in support of the 15-minute parking space.

John Broeder – 1860 Finnegan lane

Spoke in support of the 15-minute parking space.

George Fry – 1304 Oak Place

Suggested that all spaces downtown be limited parking.

Rick Downey – 817 Smith Flat Road

If the City is in favor of a limited parking space downtown, he suggested the City decide where this should be, not decided by the individual business.

Niki Robison – Manager, World Mercantile

Reported that she was astonished that the parking at Raspberry and Main has been changed to a passenger loading zone, eliminating several parking spaces.

MOTION by Council Member Boeding, seconded by Council Member Morris and carried 3-1 with Councilmember Turco voting {NO} ADOPTING RESOLUTION NO. 09-42. A RESOLUTION APPROVING A 15-MINUTE PARKING SPACE STALL LOCATED IN FRONT OF THE WORLD MERCANTILE AT 1267 SOUTH MAIN STREET WITH CONDITIONS (ATTACHED TO RESOLUTION.)

4. **ANGELS CAMP BUSINESS ASSOCIATION HOLIDAY PARADE** – Bob Menary, President ACBA

MOTION by Councilmember Boeding, seconded by Councilmember Turco and carried 4-0 APPROVING RESOLUTION NO. 09-40. A RESOLUTION APPROVING THE ANGELS CAMP BUSINESS ASSOCIATION'S ANNUAL HOLIDAY PARADE

5. **WATER TREATMENT PLANT – FOURTH FILTER IMPROVEMENT PROJECT** – Gary Ghio,

City Engineer

The City Engineer explained that the design has been completed and the project is ready to go out for bid. He stated that based on discussions with the City Administrator (before his leave of absence) the electrical portion would not be included in the bid. Because all of the previous electrical work at the water treatment plant has been done by Bruce Whittle from California Electric Steel it was felt that a redesign was not needed and this would save costs on the project. The Council were unaware of this. They agreed that it made sense for Whittle to do the work, but asked that he provide his costs for the project for review.

Direction: City Engineer to get costs for electrical from California Electric Steel. Item continued to next meeting.

7. **CALL FOR TRANSPORTATION PROJECTS TO BE FUNDED THROUGH THE COUNCIL OF GOVERNMENT'S OVERALL WORK PROGRAM FOR FY 2010/2011** – Dave Hanham,

Planning Director

The Planning Director explained the process used previously for deciding what projects were to be financed by the CCOG. He explained that the CCOG will have very little money available for the 2010/2011 fiscal year because most of their funds will be going towards the update of the Regional Transportation Plan. He recommended him and the City Engineer gather project ideas and brings to the Council for review and to prioritize. The Council asked that the Traffic Circulation Committee be involved in the process.

Direction: Planning Director, City Engineer and Traffic Circulation Committee gather project ideas and bring back to Council for review.

8. **AMENDMENT TO ZONING ORDINANCE** – Dave Hanham, Planning Director

Councilmember Turco asked that 2 definitions be added to the proposed ordinance to change zoning definitions: (1) Real Estate Office and (2) Low profile cellular antennas. The City Attorney stated that with these additions to the ordinance, it should be reviewed again by the Planning Commission.

Direction: Item to be taken to Planning Commission for review and re-submitted to Council at future meeting.

9. **AMENDMENT TO SIGN ORDINANCE** – Dave Hanham, Planning Director

Explained that sign ordinance definitions were sent to city business and the business association and no comments were received.

Michelle Lee – Angels Camp resident

Said she received the original ordinance but has not received the ordinance with the revised definitions.

Bob Menary – ACBA

Did not receive the revised definitions

The Planning Director explained that the documents were sent to the ACBA address to the previous president's attention.

Direction: Planning Director to provide copies of ordinance documents to Lee and Menary.

MOTION by Councilmember Turco, seconded by Councilmember Boeding and carried 4-0 INTRODUCING ORDINANCE #440. AN ORDINANCE AMENDING CHAPTER 15.12 OF THE MUNICIPAL CODE. WAIVE READING AND SET PUBLIC HEARING FOR NOVEMBER 3, 2009

10. **LEAGUE OF CALIFORNIA CITIES PROPOSITION 1A SECURITIZATION PROGRAM: SUGGESTED REPAYMENT PROGRAM FOR STATE BORROWED PROPERTY TAX (referred from Personnel/Finance meeting)** – Melisa Ralston, Finance Officer
MOTION by Councilmember Turco, seconded by Councilmember Boeding and carried 4-0
ADOPTING RESOLUTION NO. 09-41. A RESOLUTION DIRECTING STAFF TO JOIN PROP 1A SECURITIZATION PROGRAM THROUGH CALIFORNIA COMMUNITIES, A JOINT POWERS AUTHORITY SPONSORED BY THE LEAGUE OF CALIFORNIA CITIES AND CALIFORNIA STATE ASSOCIATION OF COUNTIES

11. **CONSIDERATION OF REDUCTION IN FORCE OF PEACE OFFICER PERSONNEL (continued from 9/15 CC meeting)** – Richard Matranga, City Attorney
Steve Difu – 576 Sasa
Suggested using the City Administrator's unused salary to retain Police Officer.
Dave Scarborough – Police Officer Association Representative
Voiced concern for public safety with a reduction in force and concern for the officer in question.
Joe Santella – Police Union Representative
Stated that the City Negotiator did not contact him regarding proposals in a timely manner. He had just learned about the most recent counter-proposal from the City that morning. He felt the City of Angels will be put in a very bad light because it appears that they are not dealing in good faith.
George Fry – 1304 Oak Place
Spoke in favor of retaining officer.
Natalie Hamm – 1241 S. Summit
Spoke in favor of retaining officer.
Angela Shergill – 314 S. Main
Spoke in favor of retaining officer.
Dave Scarborough – Police Officer Association Representative
Asked what the City Administrator's salary was and suggested using this as payment of salary for officer.
MOTION by Councilmember Morris, seconded by Councilmember Lynch and carried 4-0
APPROVING THE REDUCTION IN FORCE EQUIVALENT TO ONE POLICE PEACE OFFICER POSITION AND DIRECT STAFF TO GIVE NOTICE TO THE AFFECTED EMPLOYEE PURSUANT TO CITY PERSONNEL POLICIES, MOU AND ANY OTHER APPLICABLE RULES OR REGULATIONS

Roll Call: Morris {Yes}, Boeding {Yes}, Turco {Yes} and Lynch {Yes}

12. **CONSIDERATION, APPROVAL AND ADOPTION OF FY 2009/2010 BUDGET (continued from 9/15 Council meeting)** – Melisa Ralston, Finance Officer
MOTION by Council Member Boeding, seconded by Council Member Morris and carried 4-0
APPROVING RESOLUTION NO. 09-39. A RESOLUTION ADOPTING THE FY 2009/2010 ANNUAL BUDGET

13. **APPROVE RESOLUTION ESTABLISHING COST PER GALLON FOR SEWAGE TREATMENT FOR FY 2009/2010 (continued from 9/15 Council meeting)** – Melisa Ralston,
Direction: Item continued to October 20th meeting

MEETING ADJOURNED AT 9:35 P.M.

ATTEST:

Jack Lynch
Mayor

Mary Kelly
City Clerk